

REMARKS

Claims 1-29 were presented for examination and all claims were rejected. In the present amendment, claim 14 has been amended. No new matter has been added. Upon entry of this amendment, claims 1-29 will be pending, of which claims 1, 10, 14, 20 and 21 are independent. Applicants submit that claims 1-29 are patentable, as amended, and in condition for allowance.

The following comments address all stated grounds of rejection. Applicants respectfully traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

I. Claims 14-19 Rejected under 35 U.S.C. §101

Claims 14-19 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 14 is an independent claim, amended herein. Claims 15-19 depend on and incorporate all of the patentable subject matter of independent claim 14. Applicants traverse this rejection and submit that claims 14-19 are directed to statutory subject matter.

Under the “machine-or-transformation” test of *In Re Bilski*, claimed subject matter is patentable under 35 U.S.C. §101 if “(1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing.” In the Office Action, the Examiner contends that claims 14-19 are drawn to a computer program per se. Applicants respectfully disagree. Claims 14-19 are directed to an apparatus and recite a computing device executing a hooking mechanism, a window name virtualization engine, and an operating system interface. The apparatus performs various functions as recited by the claim limitations. Thus, the appliance is a particular machine and is statutory. Therefore, these claims meet at least the machine portion of the *Bilski* test and are patent eligible subject matter under 35 U.S.C. §101.

Furthermore, even if the recited functions are to be considered a computer program, they are still claimed as part of an otherwise statutory machine. “In such a case, the claim remains statutory irrespective of the fact that a computer program is included in a claim.” (MPEP, 2106, IV.B.2(a)). Therefore, even if these functions are interpreted as a computer program, these claims recite patent eligible subject matter under 35 U.S.C. §101.

For at least the above discussed reasons, Applicants submit that the subject matter of claims 14-19 are directed to statutory subject matter. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 14-19 under 35 U.S.C. §101.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

II. Claims 1-17 and 19-29 Rejected under 35 U.S.C. §103(a)

Claims 1-17 and 19-29 were rejected as unpatentable over U.S. Patent Number 5,781,720 to Parker et al. ("Parker") in view of U.S. Patent Number 7,203,941 to Demsey et al. ("Demsey"). Claim 18 is rejected as unpatentable over Parker in view of Demsey and further in view of U.S. Patent Number 5,856,826 to Craycroft ("Craycroft"). Claims 1, 10, 14, 20 and 21 are independent. Applicants respectfully traverse this rejection and submit that Parker, Demsey and Craycroft, alone or in combination, fail to teach or suggest each and every feature of the claimed invention.

A. Independent Claims 1, 10, 14, 20, and 21 Patentable over Parker and Demsey

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Independent claims 1, 10, 20 and 21 are directed towards methods of virtualizing access to windows and independent claim 14 is directed towards an apparatus for virtualizing access to windows. These methods and apparatus recite a process executing within the context of an isolation scope. The isolation scope is provided by an isolation environment, which comprises a user isolation layer and an application isolation layer.

In the Office Action, the Examiner admits that Parker does not teach or suggest an isolation environment comprising a user isolation layer and an application isolation layer. Demsey also does not teach or suggest an isolation environment comprising a user isolation layer and an application isolation layer. Demsey merely describes a tracking system for native resources (*see* Demsey, Summary). In the Office Action, the Examiner equates the application isolation layer and the user isolation layer to Demsey's "managed code portion" and "user code," respectively. However, the "user code" described in Demsey is merely any application installed by the user other than the virtual machine and the operating system (*see* Demsey, Fig. 1, and col. 5, lines 46-48). The "managed code portion" described in Demsey refers to a portion of the Virtual Machine (VM) environment which uses native resources (*see* Demsey, col. 2, lines 19-23). Therefore, Demsey fails to teach or suggest an isolation environment including an application isolation layer and a user isolation layer, as explicitly required by the claims.

Accordingly, Parker and Demsey, alone or in combination, fail to teach or suggest each and every limitation of the independent claims 1, 10, 14, 20, and 21. Applicants respectfully submit that independent claims 1, 10, 14, 20, and 21 are patentable and in condition for allowance. Claims 2-9 depend on and incorporate all of the patentable subject matter of claim 1,

claims 11-13 depend on and incorporate all of the patentable subject matter of claim 10, claims 15-17 and 19 depend on and incorporate all of the patentable subject matter of claim 14 and claims 22-29 depend on and incorporate all of the patentable subject matter of claim 21. Thus, Applicants submit that dependent claims 2-9, 11-13, 15-19, and 22-29 are also patentable and in condition for allowance. Applicants submit that the rejection of claims 1-17 and 19-29 under 35 U.S.C. §103 has been overcome and respectfully request the Examiner to withdraw the rejection.

B. Dependent Claim 18 Patentable over Parker, Demsey, and Craycroft

Claim 18 depends on and incorporate all of the patentable subject matter of independent claim 14. The arguments made immediately above with respect to the patentability of claim 14 in view of Parker and Dempsey apply with equal force here and are reiterated as if set forth in full.

Craycroft also does not teach or suggest an isolation environment comprising a user isolation layer and an application isolation layer. Craycroft merely describes a system for organizing windows into groups by attribute, function, content or any arbitrary characteristic, so that they can be displayed together regardless of layer or priority. Craycroft teaches away from an isolation environment comprising an application isolation layer and a user isolation layer because applications are explicitly grouped, rather than isolated from each other.

Since Parker, Demsey and Craycroft, alone or in combination, fail to teach or suggest each and every feature of the claimed invention, Applicants submit that the rejection of claim 18, which depends from independent claim 14, has been overcome and respectfully request the Examiner to withdraw the rejection.

CONCLUSION

In light of the aforementioned arguments, Applicants contend that each of the Examiner's rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

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